Coinage (Standard Weight and Remedy 0^ round shape Coins oi 50 paise containing copper 75 per cent and Nickel 25 per cent) Rules, 1984

SHRI S. M. KRISHNA: Sir, I also beg to lay on the Table a copy (in Kng ish and Hindi) of the Ministry ol Finance (Department of Economic Affairs) Notification S.O. No. 2505, dated the 4:h August, 19*4, publishing the Coinage (Standard Weight and Remedy of round shape coins of 50 paise containing Copper 75 per cent and Nickel 25 per cent) Rules, 1984, under sub-section (3) of section 21 of the Coinage Act, 1906. [Placed in Library. See *No.* LT-2684/84].

I Maritime Zones of India (Regulation of Fishing by Foreign Vessels) (Amendment) Rules, 1984

II..Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Second Amendment Rules, 1984.

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI YOGENDRA MAKWANA): Sir, I beg to lay on the Table under sub-section (4) of section 25 of the Martime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981, a copy each (in English and Hindi of the following Notifications of the Ministry of Agriculture (Department of Agriculture and Cooperaion):—

(l) G.S.R. No. 361(E), dated the 5th May, 1984, publishing the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Amendment) Rules, 1984.

(ii) S.O. No. 438/E), dated the 12th June, 1984, publishing the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Second Amendment Rules, 1984.

[Placed in Library. *See* No. LT-8703/84 for (i) and (il)J;

MR. DEPUTY CHAIRMAN: I have to announce one thing that I have allowed several Members to make Special Mentions, but I am afraid the papers might not have reached all *ot* iiKiii. Therefore, we shall take up Special Mentions immediately after lunch, because it wiH not be possible to circulate papers before that.

REFERENCE TO THE REPORTED MOVES TO AMEND CONSTITUTION IN FAVOUR OF PRESIDENTIAL FORM OF GOVERNMENT

Eti DIPEN GHOSH (West Bengal): Sir, I want to take the advantage of the presence of the Union Home Minister, Shri P. V. Narasimha Rao, and the Union Law Minister, Shri Jagannath Kaushal, to draw their attention, through you, Sir, to two news-items appearing in today's Indian Express under the captions -Calcutta lawyer drafts new statute" and "amendment likely before elections", respectively. These two news-items are with ominous potence because one of them says—I quote a simple sentence: "Mrs Gandhi is seriously thinking of making a drastic change in country's Constitution. An eminent lawyer of Caljcutta has already drafted a presidential from of Constitution and has handed it over to an important Union Minister to be placed finally before the Prime Minister."

THE MINISTER OF HOME AFFAIRS (SHRI P. V. NARASIMHA RAO): That is of Calcutta.

SHRI DIPEN GHOSH; Another one is of Delhi. Mr. Rao, just listen. As regards Delhi, yesterday night the:" was a dinner hosted by a Congress (I) MP where 50 Congress (I) MPs were present and there Shri Vasant Sathe, the Union Minister for Fertilizers and Chemicals, placed a document and they discussed the matter. The news says that a debate started with a group of Congress(I) MPs headed by the Minister for Fertilizers and Chemicals, Mr. Vasant Sathe, for a presidential form of government mixed with a favourable response at the national level. Sir, these are very important things. Parliament is still in

session. Yet a Union Minister gives vent publicly to the need for a dictatorial form of governance in our country. Naturally, it underlines the question of propriety also when Parliament is iM session. And, Sir, this particular session of Parliament has already been seized of passing various laws of amendment to the Constitution by which the ruling party at the Centre actually sought to undertake the emergency powers without declaring emergency in our country. This is where they intend to lead. Still tomorrow there is the House to sit. This is a very serious matter. So I want the Prime Minister or the Home Minister or the Law Minister to make a statement on it, what they intend to do. Do they propose to go in for that thing? It is necessary so that we can discuss and the people may come to know. *(Interruptions).*

MR. DEPUTY CHAIRMAN; They are reading the newspapers. Mr. Gurupadaswamy.

SHRI M. S. GURUPADASWAMY (Karnataka): Sir, my colleague has raised this issue...

SHRI P. V. NARASIMHA RAO; You come and Join.

MR. DEPUTY CHAIRMAN: They should have been invited to the dinner first.

SHRI M. S. GURUPADASWAMY: Sir, so far, my friend Mr. Narasimha Rao has not invited me either to lunch or dinner. I welcome it. I will come whenever I get an invitation. About tliis particular matter may I say one thing? During the Emergency, Sir, as you know, this matter was raised, debated, discussed all over India by various forums. It is an old hat. It is not new at all. But *1* am surprised that this thing which I thought was dead and gone, is revived by a few friends very surreptitiously, and they try to create confusion in the minds of many MPs, perhaps Minister*, parties.

Sir, yesterday I sought an assurance ii-om the Treasury Benches whether this session of Rajya Sabha is going to be the last session before the coming Lok Sabha elections. I would jiKe an assurance in this regard from the Prime Minister. I saw to my happiness a news item from the Prime Minister that she would hold tha elections on schedule. I have read it yesterday. I am happy about it. I welcome it.

But this matter has come up today, and I would like the Treasury Benches not to allow this kind of speculation. I call it speculation. It is not mmour-mongering. There may not be authenticity at all. I would not like this kind of rumour-mongering or speculation about change in the Constitution. It is too serious a matter. Therefore, with a view to stop all the speculation further, I would like the Prime Minister to make a categorical statement in this regard and say it again—it may be a repetition—that there will be no change in the Constitution, and that the present parliamentary system will continue. Sir, I would like the Prime Minister to assure us again that the election will be held for the Lok Sabha on schedule.

SHRI R. MOHANARANGAM (Tamil Nadu): Sir, yesterday it seems that there was a meeting convened by hon. Minister, Mr. Vasant Sathe.

SHRI SYED SIBTEY RAZI (Uttar Pradesh): A point of order, Sir. Under which rale is this discussion going on?

MR. DEPUTY CHAIRMAN: This ii a special matter.

SHRI SYED SIBTEY RAZI: On a special mention, no other Member has to speak. Only the person who

[Shri Syed Sibtey Razi].

is allowed, speaks. It is a very debatable point.

MR. DEPUTY CHAIRMAN; Does not matter. It is the last day of this session. They can make it.

SHRI SYED SIBTEY RAZI: I do not know what has happened if some . MPs have discussed something. But to mention the name of the Prime Minister, the Constitution, change of the system, I think, this is no time. It is not proper to discuss about the system as is being mentioned here. I think it is unwarranted. If you have permitted it, I am objecting to it. It should go on record, it is unwarranted, uncalled for and untimely to discuss this issue. This is a very important matter, and "he whole nation may be misguided hy his discussion (Interruptions) This is my point of order.

SHRI R. MOHANARANGAM; Sir, this point of order could have been raised before my friend, Mr. Ghosh started speaking.

Anyhow, a meeting was called by Mr. Sathe, hon. Minister of Chemicals, and more than 70 Congress Members have joined together to discuss whether a Presidential form should be there. According to the news item, I am just speaking. Here I am not going to speak about the advantages or the disadvantages of the Presidential form of Government. What I want to say is, at least this meeting could have been convened just a month ago, and we could have discussed it on the floor of the House. It is on the last day of the session that they thought of convening a meeting of more than 76 MPs.

We are not totally opposed to any such thing. There are so many federal form of Government. The federal set-up, the American set-up is there. Even my leader when he came from the United States, clearly pointed out, "We like the American form of Government." There are so many different forms of federal Government. What was the necessity of convening this meeting of the Congress Members when any form of Government is common to all? Why have you convened the meeting of only th* Congress Members to discuss about it unnecessarily, instead of discussing this matter on the floor of Parliament? Only by discussing everything on the floor of Parliament, we can get a clear idea—how to follow and what exactly we have to follow _____

MR. DEPUTY CHAIRMAN: Mr. M. Kaiyanasundaram.

SHRI M. KALYANASUNDARAM (Tamil Nadu): Sir, may I submit that ruling party Members need not take any objection to this. In fact, they must feel proud that their party is attracting the attention of all parties because it is a ruling party. That is not theft- private matter. Whatever they do concern not only their party but the whole nation. Sir, why don't they take Opposition Parties into confidence? That is the question. That is why we want to know about the whisper campaign going on about amending the Constitution so as to introduce the Presidential form of Government. If it is just a rumour then, we are not bothered about it. It is in the interest of the ruling party to come out with a statement on the floor of this House either today or tomorrow. That is my submission.

MR. DEPUTY CHAIRMAN: Mr. S.W. Dhabe.

SHRI S- W. DHABE (Maharashtra): Sir, I oppose the Presidential form of Government. Because there is no mandate for changing the Constitution from parliamentary form to Presidential form of Government. Moreover, the Prime Minister has said that the Lok Sabha elections will be held as per schedule. Therefore, this news has created a confusion in the minds of the people of this country. There-

fore, the Leader of the House should assure the House that ne such change is contemplated and elections will be held as per schedule.

श्री सुलतान सिंह (हरियाणा) : डिप्टी चेयरमैन साहब, मुझे ताज्जुब इस बात पर हो रहा है कि मेरे दोस्त पार्लियामेंटरी डैमोक्रेसी को समझते हैं या नहीं । बसंत साठे जी के विचार ओपन हैं । He has initiated a public debate. वह कोई चोरी नहीं कर रहे हैं । कई महीने पहले अपने विचार दे दिये । मैं 25 दोस्तों को खाने पर बुलाता हूं और हम वहां चर्चा करते हैं तो क्या उस पर पार्लियामेंट में बहस होगी ? हमारी पार्टी पर बैन है क्या ? क्या हम 25 आदमी बैठ नहीं सकते ? क्या हमारा कोई राइट नहीं है कोई आइडिया क्रिएट करने का, देने का ? We are elected Members. We are Members of this House. We have full freedom to express our ideas. Even a citizn in the village, he can express his ideas, then, whynot we?

मेरी समझ में यह डिबेट यहां नहीं होनी चाहिये इसको यहीं खत्म कर देना चाहिये । They want to make political capital out of this.

THE LEADER OF THE HOUSE (SHRI PRANAB KUMAR MUKHERJEE): Sir, I would just like to say what my colleague, Mr. Sultan Singh has said. Unfortunately, we are having some discussion on issues which do not exist at all. I can assure the hon. Members... Mr. Kalmadi, I am very sorry to point out you are developing a bad habit of interrupting each and every Member at every stage. I would request your Leader to restrain you. *(Interruptions)* 1 am not yielding. I am very sorry to point out that a Member who is in this House for the last three years is developing such a habit, I do not know how to conduct this House. (hi ter - *ruptions).* It is your prerogative to . loose it. *(Interruptions).* You should know that you are a newcomer in this House. *(Interruptions).* Sir, the issue has been debated for quite some time and it is not for the first time that hon. Members have tried t» utilise it or twist it in some form or the other. In 1980 when Mr. Antulay raised the issue some hon. Member$_s$ brought this issue *o-a* the floor of this House and records of this House will show it. But I do not understand how the hon. Members can come to the conclusion that the amendment of the Indian Constitution can take place through some private conversation in private meetings, without keeping the House informed. Sir, in fa:t, one whole day we had to exercise to pass four or five Constitution Amendment Bills over which almost there was unanimity. Aimost there is a set procedure for constitutional amendments and definitely it cannot be done anywhere outside the floor of the House. Therefore, we should not try to cross the bridge before we reach it. When we reach the bridge, we will think about it. Let us not discuss something which does not exit at all.

MR. DEPUTY CHAIRMAN; The matter is closed. Let u$_s$ proceed.

SHRI SURESH KALMADI (Maharashtra) : Sir, this i$_s$ regarding the Ministry of sports. I have moved a Privilege Motion against Shri Mallikarjun. H$_e$ has taken Rs. 17,000 from each player. I have got documentary proof of it. When the players went t$_0$ Los Angeles, Ks. 17000 were taken from each one of ther". He made a statement in the Hous$_e$ to the contrary.

MR. DEPUTY CHAIRMAN: We are ascertaining the facts.

SHRI SURESH KALMADI: When will you take a decision? Today is the last day of the House.

MR. DEPUTY CHAIRMAN: ft will take some time.

SHRI SURESH KALMADI: I have given documentary proof showing that Rs. 17000 were asked from each player. Today is the last day.

MR. DEPUTY CHAIRMAN: It can be decided later on also. We are ascertaining the facts. Now, we will take up the motions. Mr. Home Minister .

V/STATUTORY RESOLUTION RE. CONTINUANCE IN FORCE OF THE PROCLAMATION ISSUED BY THE PRESIDENT ON THE 25TH MAY, 1984, UNDER ARTICLE 356 OF THE CONSTITUTION, IN RELATION TO THE STATE OF SIKKIM

THE MINISTER OF HOME AFFAIRS (SHRI P. V. NARASIMHA RAO): Sir, I beg to move:

> "That this House approves the continuance in force of the Proclamation, issued by the President on the 25th May, 1984, under article 356 of the Constitution, In relation to the State of Sikkim, for a further period of six months ^vilh effect from 25th November, 1984 "

As the House is aware, Parliament has approved on July 23, 1984, the Proclamation under article 356 of the Constitution in respect of the State of Sikkim and the dissolution of the Legislative Assembly of the State. The Proclamation has been issued on May 25, 1984 and remains valid till November 24, 1984. Tlie five-year term of the State Assembly expires in October 1984. However, the Governor hag indicated that certain issues having far-reaching constitutional implications are currently being raised in the State in regard to the representation of different sections of the people in the State Legislature. While these issues are being considered, any electoral process could lead to tensions and disharmony which would vitiate the atmosphere.

Taking into consideration all the circumstances prevailing in the State, the Governor has recommended extension of President's rule by another six months beyond November 24, 1984, All efforts will continue to create conditions of mutual appreciation and understanding of these issues in the true interest of various sections of the people of Sikkim and, indeed, consistent with larger interests of our nation as a whole.

In view of the above, I request this august House to approve the continuance in force of the Proclamation issued by the President in respect of the State of Sikkim on May 25, 1984, for a further period of six months with effect from November, 1984.

The question was proposed.

MR. DEPUTY CHAIRMAN: I think we can finish it early. The issue is limited.'

\-^HRI JASWANT SINGH (Rajasthan): The issue is not limited. But I will try to be brief. The hon. Minister, while seeking approval of the House for extension for another six months, suggested that what were involved were certain issues of far-reaching constitutional importance and some other aspects. Sir, you asked me to start the debate suggesting that the issue is limited. I do not find it easy to subscribe to that viewpoint. Article 356, Governor's recommendations and extension by another six months do bring within the ambit of this morning's discussion what brought about this situation what brought about Nar Bahadur Bhandari's Ministry's dismissal. There are constitutional points which come up. There are ethical and moral grounds and grounds of public propriety which also arise. And the Minister has himself suggested that this debate raises some Constitutional issue. I will now narrate the events preceding or leading to ths Constitu